

ASSIGNED

AMENDED

APPLICATION FOR PERMIT

Serial No. 8841

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office FEB 28 1929
 Returned to applicant for correction DEC 14 1929
 Corrected application filed FEB 11 1930

The undersigned S. O. Gressler Estate
Name of applicant
 of Cedarville, County of Modoc,
 State of California, hereby make S application for
 permission to appropriate the public waters of the State of Nevada, as
 hereinafter stated. (If applicant is a corporation, give date and place
 of incorporation.)

1. The source of the proposed appropriation is Unnamed Canyon fed by
Name of stream, lake, or other source
rain and snow waters, otherwise known as R ye Patch Creek and
Tributaries
2. The amount of water applied for is one second-foot.
One-second-foot equals 40 miners' inches
3. The water to be used for Stockwatering and domestic purposes
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
At a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, T. 46 N; R. 21 E., which bears
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section-corner. If on unsurveyed land, it should be so stated.
N. 61° 20' W., 6077.50 feet from the SE Cor. Sec. 13, T. 46 N; R.
21 E., M.D.B.&M.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Use will begin about _____ and end about _____, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, T. 46 N; R. 21 E.,
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
M.D.B.&M.
- (f) Point of return of water to stream _____
Describe in same manner as point of diversion.

- (g) State number and kinds of animals to be watered 1000 head of cattle
and 6000 head of sheep.

- (h) Use will begin about Jan. 1 and end about Dec. 31, of each year.
Month Month

(i) Remarks Applicant and its predecessors in interest have used water
from this source for watering stock, and said stock has been grazed on
and used all of the available range adjacent to this source and its
tributaries for many years prior to 1905, and therefore such vested
rights as have been initiated thereby, which said vested rights are
claimed by this applicant, are not waived by virtue of the filing of
this application.

DESCRIPTION OF PROPOSED WORKS

At First it was proposed to store water in the Cressler West Reservoir

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

(the same source and reservoir to which a water right for irrigation

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

has been granted under certificate No. 636, Permit No. 2779), but after giving matter due consideration during survey, it was found more advisable to place an earth and rock dam in Rye Patch Creek above said reservoir or at the point of diversion named herein under question (4)

5. Estimated cost of works \$200.00

6. Estimated time required to construct works one year.

7. Remarks Owing to ruling to the effect that the water law does not provide a means for the State Engineer to determine vested rights for stockwatering purposes, this application has been filed as the simplest and most convenient means of perfecting record title and right to the use of the water from the source herein for the purpose named.

S. O. Cressler Estate, Applicant.

By Harvey M. Payne

Compared ME-CT

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This Permit is issued subject to all prior rights on the source. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed .035 or sufficient to water 1000 head of cattle and 6000 sheep. cubic feet per second.

Actual construction work shall begin on or before Oct. 1, 1930

Proof of commencement of work shall be filed before Nov. 1, 1930

Work must be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1931

Proof of completion of work shall be filed before Nov. 1, 1931

Application of water to beneficial use shall be made on or before

Oct. 1, 1933

Proof of the application of water to beneficial

use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Feb. 11, 1930

Proof of water filed 11-1-30

Proof of completion of work filed 10-30-31

Proof of beneficial use (1933) Nov. 1, 1933

WITNESS MY HAND AND SEAL this 23rd day

of May 1930

State Engineer.

By Assistant State Engineer